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5 UNITED STATES DISTRICT COURT
6 DISTRICT OF NEVADA

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 v.

10 DAVID HOWARD BABIT,

11 Defendant.

2:20-CR-276-GMN-EJY

Amended Preliminary Order of Forfeiture

12 This Court finds David Howard Babit pled guilty to Counts One and Two of a Two-
13 Count Criminal Information charging him with coercion and enticement in violation of 18
14 U.S.C. § 2422(b). Criminal Information, ECF No. 54; Plea Agreement, ECF No. 56;
15 Arraignment & Plea, ECF No. 57.

16 This Court finds David Howard Babit agreed to the forfeiture of the property set
17 forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Information.
18 Criminal Information, ECF No. 54; Plea Agreement, ECF No. 56; Arraignment & Plea,
19 ECF No. 57.

20 This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States
21 of America has shown the requisite nexus between property set forth in the Plea Agreement
22 and the Forfeiture Allegation of the Criminal Information and the offenses to which David
23 Howard Babit pled guilty.

24 The following property is (1) any property, real or personal, that was used or
25 intended to be used to commit or to facilitate the commission of 18 U.S.C. § 2422(b) and (2)
26 any property, real or personal, used or intended to be used to commit or to facilitate the
27 commission of 18 U.S.C. § 2422(b), and is subject to forfeiture pursuant to 18 U.S.C. §
28 2428(a)(1) and 18 U.S.C. § 2428(b)(1)(A) with 28 U.S.C. § 2461(c):

1. Lenovo Desktop Computer, SN: ES11584791;
2. HP Desktop Computer, SN: CNH7310662;
3. Samsung S7 Edge Cell Phone, IMEI: 357751075148178;
4. Samsung GTP511TS Tablet, SN: R32C7038AYL;
5. Western Digital External Hard Drive, SN: WCC4N2RV7FFI; and
6. HP 15-G231DS¹ Laptop Computer, SN: CND51000FT

(all of which constitutes property).

This Court finds that on the government's motion, the Court may at any time enter an order of forfeiture or amend an existing order of forfeiture to include subsequently located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

This Court finds the United States of America is now entitled to, and should, reduce the aforementioned property to the possession of the United States of America.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the United States of America should seize the aforementioned property.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory rights, ownership rights, and all rights, titles, and interests of David Howard Babit in the aforementioned property are forfeited and are vested in the United States of America and shall be safely held by the United States of America until further order of the Court.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America shall publish for at least thirty (30) consecutive days on the official internet government forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state the time under the applicable statute when a petition contesting the forfeiture must be filed, and state the name and contact information for the

¹ This amended preliminary order of forfeiture was entered due to a typo in the prior filings regarding this model number. The filings currently indicate the model number to be 15-G23IDS. The correct model number is 15-G231DS. The government contacted defense counsel and defense does not object to this correction of the model number.

1 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
2 and 21 U.S.C. § 853(n)(2).

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
4 or entity who claims an interest in the aforementioned property must file a petition for a
5 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
6 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C. §
7 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
8 right, title, or interest in the forfeited property and any additional facts supporting the
9 petitioner's petition and the relief sought.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
11 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
12 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
13 not sent, no later than sixty (60) days after the first day of the publication on the official
14 internet government forfeiture site, www.forfeiture.gov.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
16 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
17 Attorney's Office at the following address at the time of filing:

18 Daniel D. Hollingsworth
19 Assistant United States Attorney
James A. Blum
20 Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
21 Las Vegas, Nevada 89101.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
23 described herein need not be published in the event a Declaration of Forfeiture is issued by
24 the appropriate agency following publication of notice of seizure and intent to
25 administratively forfeit the above-described property.

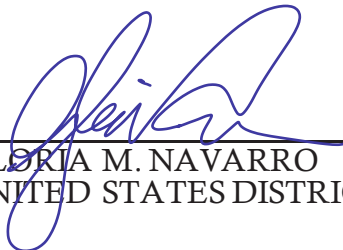
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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
2 copies of this Order to all counsel of record.

3 DATED November 17, 2021.

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7 GLORIA M. NAVARRO
8 UNITED STATES DISTRICT JUDGE
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